

Storm Water Rule 5 Phase II

What is Rule 5?

- Rule 5 (327 IAC 15-5) requires that developers of any construction activity that disturbs five acres or more of land:
 - 1) File a Notice Of Intent for the land disturbing activity with IDEM in order to obtain a general storm water permit and
 - 2) Submit an erosion control plan to either the Department of Natural Resources or the local county soil and water conservation district
- The erosion control plan is one of the principle elements of Rule 5. Erosion control is any practice that keeps the exposed soil from being washed off site during a rain event. Some of the most common erosion control measures include planting grass seed, placing wheat or oats over the exposed soil, erecting silt fences and creating sediment ponds.

How will the rule change under Phase II?

- The rule, once adopted, will change the minimum land-disturbing size from five acres to one acre. This change will require developers of land-disturbing activities that displace one or more acres of land to obtain a National Pollutant Discharge Elimination System (NPDES) permit from IDEM.

How does erosion affect water quality?

- When soil enters a waterway, it causes the water to become turbid, or murky. High turbidity causes water to become warmer because the suspended soil particles absorb heat from sunlight, causing oxygen levels to lower.
- Turbidity causes less light penetration in the water, which results in decreased photosynthesis and further drops in oxygen concentrations.
- The combination of warmer water, less light and oxygen depletion makes it impossible for some forms of aquatic life to survive.
- Soil particles can have a profound impact on aquatic life by clogging gills, reducing growth rates, decreasing resistance to disease and inhibiting, or even preventing, the development of eggs and larva.

For additional information contact:

The Office of Water Quality

Storm Water Group at (800) 451-6027